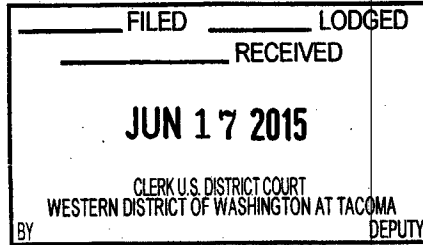


Magistrate Judge David W. Christel



UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD GEORGE LESEMAN,

Defendant.

NO. M315-5094

COMPLAINT FOR VIOLATION

Title 18, United States Code, Sections
2252(a)(4)(B) and (b)(2) and Sections
2252(a)(2) and (b)(1).

BEFORE the Honorable David W. Christel, United States Magistrate Judge,
United States Courthouse, 1717 Pacific Avenue, Tacoma, Washington.

COUNT 1

(Possession of Child Pornography)

Beginning on a date unknown, and continuing until on or about June 17, 2015, at Longview, within the Western District of Washington, and elsewhere, RICHARD GEORGE LESEMAN did knowingly possess matter that contained visual depictions the production of which involved the use of minors engaging in sexually explicit conduct, and the visual depictions were of such conduct, that had been mailed and shipped and transported in and affecting interstate and foreign commerce by any means, including computer, and the images of child pornography involved include images of a prepubescent minor and a minor who had not attained 12 years of age.

COMPLAINT/*United States v. Leseman* - 1
USAO 2015R00691

UNITED STATES ATTORNEY
1201 PACIFIC AVENUE, SUITE 700
TACOMA, WASHINGTON 98402
(253) 428-3800

1 All in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and
2 2252(b)(2).

3 **COUNT 2**

4 **(Receipt of Child Pornography)**

5 On a date unknown, but no later than June 17, 2015, at Longview, within the
6 Western District of Washington, and elsewhere, RICHARD GEORGE LESEMAN did
7 knowingly receive, and attempt to receive, visual depictions the production of which
8 involved the use of minors engaging in sexually explicit conduct, and the visual
9 depictions were of such conduct, using any means and facility of interstate and foreign
10 commerce and which images had been mailed and shipped and transported in and
11 affecting interstate and foreign commerce by any means, including by computer.

12 All in violation of Title 18, United States Code, Sections 2252(a)(2) and (b)(1).

13 And the complainant states that this Complaint is based on the following
14 information:

15 I, Julie Peay, being duly sworn under oath, depose and state as follows:

16 **INTRODUCTION AND AGENT BACKGROUND**

17 1. I am a Special Agent (SA) with the United States Department of Homeland
18 Security, Homeland Security Investigations (HSI), in Portland, Oregon. HSI is
19 responsible for enforcing the customs laws, immigration laws, and federal criminal
20 statutes of the United States. I am a law enforcement officer of the United States within
21 the meaning of Section 2510(7) of Title 18, United States Code, and I am authorized by
22 law to conduct investigations and to make arrests for felony offenses.

23 2. I have been a federal law enforcement officer for over 16 years. I have
24 been involved in investigations of child exploitation and pornography, conspiracy, money
25 laundering, narcotics, fraud, and alien smuggling. My duties include the enforcement of
26 federal criminal statutes prohibiting the sexual exploitation of children, including Title
27 18, United States Code, Sections 2251 through 2259, the Sexual Exploitation of Children
28 Act (SECA), and Title 18, United States Code, Section 2423(a), which prohibits the

1 interstate transportation of a minor for the purpose of engaging in unlawful sexual
2 conduct. I have participated in the execution of search warrants involving child
3 exploitation and/or child pornography offenses, and the search and seizure of computers
4 and other digital devices. I am a member of the Seattle Internet Crimes Against Children
5 (ICAC) Task Force in the Western District of Washington, and work with other federal,
6 state, and local law enforcement personnel in the investigation and prosecution of crimes
7 involving the sexual exploitation of children.

8 The statements contained in this Complaint are based in part on written reports
9 about this and other investigations that I have received, directly or indirectly, from other
10 law enforcement agents; independent investigation and analysis by law enforcement
11 computer forensic professionals; and my experience, training and background as a
12 Special Agent (SA) with HSI. This affidavit includes only those facts that I believe are
13 necessary to establish probable cause and does not include all of the facts uncovered
14 during the investigation.

15 SUMMARY OF THE INVESTIGATION

16 3. The National Center for Missing and Exploited Children (NCMEC)
17 launched the "CyberTipline" in March of 1998, as a means for reporting incidents of
18 child sexual exploitation including the possession, manufacture, and/or distribution of
19 child pornography; online enticement; child prostitution; child sex tourism; extra-familial
20 child sexual molestation; unsolicited obscene material sent to a child; and misleading
21 domain names, words, or digital images. The CyberTipline is staffed 24 hours a day, 7
22 days a week, and is operated in partnership with federal, state, and local law enforcement.
23 Incidents can be reported by phone or online, and after NCMEC's Exploited Children
24 Division analyzes the tip and conducts additional research, information is forwarded to
25 the pertinent ICAC and/or law enforcement authorities, based on geographical
26 jurisdiction.

27 4. The Vancouver Police Department Clark County Sheriff's Office Digital
28 Evidence Cybercrime Unit (DECU) serves as a satellite office for the Seattle Internet

1 Crimes Against Children (ICAC) Task Force and routinely receives CyberTips for
2 southwest Washington. Two separate CyberTips were received that pertain to this
3 investigation.

4
5 **CyberTip 4098082 (the first CyberTip)**

6 5. In March of 2015, DECU received a CyberTip regarding an individual in
7 Longview, Washington who had uploaded twenty one (21) images of children engaged in
8 sexually explicit conduct to a Microsoft SkyDrive cloud storage account. The information
9 in CyberTip 4098082 was provided by Microsoft to NCMEC.

10 6. According to CyberTip 4098082, on March 2, 2015, between 08:32:04 hours and
11 08:33:00 hours UTC, a user at the IP address 98.232.153.93 uploaded 21 images to a
12 Microsoft SkyDrive account belonging to a user with the email address
13 "rleseman@outlook.com." I have reviewed all 21 of the images that were uploaded on
14 March 2, 2015. Twelve of the 21 images depict what appear to be children engaged in
15 sexually explicit conduct. I either was unable to determine the age of the person
16 portrayed or unable to determine what conduct was occurring in the other nine images
17 due to the thumbnail size of the images. Three of the images are described below:

18
19 a. zpanTkN.jpg

20 This image depicts what appears to be a prepubescent female lying on her
21 back with her legs pulled back exposing her vagina and anus. The image is
22 a close-up focused on the child's vagina and anus. The child has no visible
23 pubic hair. The child has ejaculate on her vagina and buttocks.

24 b. vntdTRf.jpg

25 This image depicts what appears to be a nude prepubescent female standing
26 or kneeling in front of an adult male. The adult male has his erect penis in
27 his hand in close proximity to the child. The child is only seen from the
28 chest up to her head and a portion of her head is cut off from the photo.
The child has no breast development.

c. pbEzzA4.jpg

1 This image depicts a nude prepubescent female lying on her back. The
2 child has no visible pubic hair. The child has her legs spread and her
3 vagina is exposed. There is what appears to be an adult male in the image
with his erect penis partially inserted into the child's vagina.

4 **CyberTip 4015163 (the second CyberTip)**

5 7. In March of 2015, DECU received a second CyberTip regarding an individual in
6 Longview, Washington who had uploaded an image of a child engaged in sexually
7 explicit conduct to a Microsoft SkyDrive cloud storage account. The information in
8 CyberTip 4015163 was provided by Microsoft to NCMEC.

9 8. According to CyberTip 4015163, on March 2, 2015, at 10:21:06 hours
10 (UTC), a subject at the IP address 98.232.153.93 uploaded one image to a Microsoft
11 SkyDrive account belonging to a user with the email address "rleseman@outlook.com".
12 I have reviewed the image that was uploaded on March 2, 2015, and have described it
13 below:
14

15 a. Ups5f2Q.jpg

16 This image depicts a prepubescent female lying on her back. The child has
17 a white shirt on that has been pulled up to her neck exposing her chest area.
18 The child has no breast development. The child's pants and underwear are
19 pulled down around her ankles. The child's legs are bent at the knees
exposing her vaginal area. The child has no pubic hair. The child appears
to be under the age of ten.

20 9. On or about March 30, 2015, a DHS summons was served on Comcast
21 requesting subscriber information for the TARGET IP ADDRESS, 98.232.153.93,
22 assigned on March 3, 2015, at between 08:32:04 hours and 08:33:00 hours (UTC).
23 Comcast provided the following information for the subscriber to whom the IP address
24 was assigned:

25 Subscriber Name: Rick Leseman

26 Service Address: [REDACTED]

27 Longview, WA [REDACTED]

28 Telephone: 360-232-xxxx

Start of Service: 08/19/2013

10. On March 30, 2015, I conducted queries in commercial databases which indicated that Richard G. LESEMAN (DOB: XX-XX-1957) currently resides at the above address.

11. In March of 2015, queries in the National Law Enforcement Telecommunication Systems (NLETS) were conducted and revealed that Richard LESEMAN has three prior convictions including Child Molestation in the First Degree, Statutory Rape in the First Degree (both in Lewis County in April, 1990), and Child Molestation in the First Degree (Cowlitz County in May, 1996).

12. On June 8, 2015, Detective David Brown of the Vancouver Police Department conducted a check of Offender Watch (a sex offender management system utilized by law enforcement agencies) which indicated that Richard LESEMAN is a Level II registered sex offender and is currently residing at 1316 11th Avenue #5, Longview, Washington 98632. According to the Offender Watch records, Richard LESEMAN last registered this address as his primary residence on January 5, 2015. On June 8, 2015, Longview Police Department Detective Sergeant Chris Blanchard drove to the address 1316 11th Avenue, Apt. 5, Longview, Washington, and took photographs of the residence. The apartment is located in the Hudson Hotel Annex on 11th Avenue. On that same date, Detective Sergeant Blanchard stood near Apartment 5, while conducting other law enforcement business, and scanned for wireless networks using a cellphone. He observed a secured wireless network named "HOME-ED12" and one unsecured wireless network

Execution of the Search Warrant

13. On June 11, 2015, I obtained a search warrant from the Honorable David W. Christel for the Leseman apartment, Apartment 5 at 1316 11th Avenue, in Longview. This morning, shortly after 7:00 a.m. I, together with other HSI agents, executed the search warrant on the residence. No one was in the apartment at the time of the search.

1 A preview of an HP laptop computer located in the living room of the apartment revealed
2 the following images of child pornography.

3 The path and descriptions are:

4 **a. root/users/Rick/pictures/43368347RKK.jpg**

5 This image depicts a prepubescent female lying on her back on a bed. The
6 child is wearing a maroon in color striped shirt and is nude from the waist
7 down. The child's legs are bent at the knees and spread open exposing her
8 vagina and anus. The child has no pubic hair.

9 **b. root/users/Rick/pictures /43509200EIO.jpg**

10 This image depicts a nude prepubescent female sitting down with her legs
11 spread open. There is an adult male erect penis inserted into her vaginal
12 area. She has no breast development and no pubic hair.

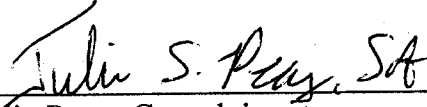
13 **c. root/users/Rick/pictures / 43509240GAd.jpg**

14 This image depicts a prepubescent female wearing a blue shirt and skirt. The
15 child is kneeling between two nude adult males that are standing on either side
16 of her. The adult males' penises are erect and close to the child's face. The
17 child's mouth is open and she has ejaculate in her mouth and on her face.

18 14. Additionally we found a Carter's size 3T little girl's footed pajamas that had
19 been filled with pillow stuffing to resemble a child and wrapped up in the blanket on the
20 bed in the apartment. The bed, a fold-up type, was the only bed in the apartment and it
21 appears that no one other than Leseman lives in this apartment. There were also four pair
22 of little girl's underwear in a closet.

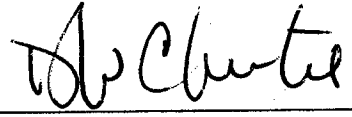
23 CONCLUSION

24 15. Based on the above facts, I respectfully submit that there is probable cause
25 to believe that RICHARD GEORGE LESEMAN did knowingly and unlawfully possess
26 and receive child pornography, in violation of Title 18, United States Code, Sections
27 2252(a)(4)(B) and 2252(b)(2) and Sections 2252(a)(2) and (b)(1).


Julie Peay, Complainant
Special Agent, HSI

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the Defendant committed the offenses set forth in the Complaint.

Dated this 17th day of June, 2015.


DAVID W. CHRISTEL
United States Magistrate Judge